



STATE OF INDIANA

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October 19, 2009

Mr. Joseph Williams-El
DOC# 910763
One Park Row
Michigan City, IN 46360

Re: Formal Complaint 09-FC-211; Alleged Violation of the Access to Public Records Act by the Elkhart City Police

Dear Mr. Williams-El:

This advisory opinion is in response to your formal complaint alleging the Elkhart City Police Department ("Department") violated the Access to Public Records Act ("APRA"), Ind. Code §5-14-3-1 *et seq.*, when it failed to provide you with arrest records regarding certain witnesses. The Department responded to your complaint through Amber Bressler, City Attorney for the City of Elkhart. As Ms. Bressler points out, this office has previously issued an opinion on this matter. Copies of *Opinion of the Public Access Counselor 07-FC-19, 07-FC-78, and 07-FC-349* were sent to you. I agree with these opinions by Counselors Davis and Neal. Because this office has already issued multiple opinions in this matter, I decline to issue another advisory opinion.

Further, I note that you have filed numerous complaints with my office in the past months. An agency is not required to continue to respond to the same request for access to records, especially where this office has issued multiple advisory opinions affirming the actions of the agency. To the extent you have a complaint about a new issue, my office will consider it. To the extent you continue to complain about the same matters, those complaints will be returned to you.

Best regards,

Andrew J. Kossack
Public Access Counselor

Cc: Amber Bressler, Attorney, City of Elkhart [via email]